IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No. 24523 of 1996

Between:

1. Sri. C. Ramaiah S/o Vemulaiah
M/s Sri Rama Wine Corporation, Hanmakonda R/o H.No.1-728-22A, Balasamudram, Hanumakonda.
2. Sri C. Balkishan S/o Ramaiah
M/s Sri Rama Wine Corporation, Hanmakonda R/o H.No.1-728-22A, Balasamudram, Hanumakonda.
3. Sri. C. Prakash S/o Ramaiah
M/s Sri Rama Wine Corporation, Hanmakonda R/o H.No.1-728-22A, Balasamudram, Hanumakonda.

..... PETITIONERS

AND

1. The District Collector (Commercial Taxes), Warangal District, Warangal.
2. The Deputy Commissioner of Commercial Taxes, Warangal Division, Warangal.
3. The Deputy Commercial Tax Officer-II Hanmakonda at Warangal.
4. The Branch Manager, Indian Bank Lashkarbazar Branch, Hanmakonda, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of MANDAMUS directing the respondents to issue notice for re-assessment and demand in pursuance of the orders of the 2nd Respondent Appeal Nos.B/221/90-91/222/90-91 B/93/90 /94 dt.15-7-91 to the petitioners consequently direct the respondent to refund the payment made on 14-11-1996 further not to demand any tax from the petitioner in respect of M/s Sri Rama Wine Corporation, Hanmakonda, Warangal District by declaring impugned Distraint Order dated 8-11-1996 passed by the 3rd Respondent as illegal and pass such other orders which are necessary in the interest of justice.

Counsel for the Petitioner:MR.B.SAI RAM GOUD

Counsel for Respondent Nos.1 to 3: G.P. for Commercial Taxes.

Counsel for Respondent No.4: -----

The Court made the following :

ORAL ORDER:

(per Honourable Sri Justice B.Sudershan Reddy)

The cause of action arising in this Writ Petition does not survive requiring any further adjudication. The Writ Petition is accordingly dismissed without any order as to costs.

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B.SUDERSHAN REDDY, J.

26.4.2005.

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C.V.RAMULU, J.

VR.

To

1. The District Collector (Commercial Taxes), Warangal District,
Warangal.
2. The Deputy Commissioner of Commercial Taxes,
Warangal Division, Warangal.
3. The Deputy Commercial Tax Officer-II
Hanmakonda, Warangal.
4. The Branch Manager, Indian Bank
Lashkarbazar Branch, Hanmakonda,
Warangal District.

5) Two CCs to Government Pleader for Commercial Taxes, High Court Buildings, Hyderabad (OUT).

6) 2 CD copies

*Form-NIC-OGS/WP{**SRAVAN**}*